



Attorney Docket No. AME-06352

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William D Huse *et al.*

Serial No.: 09/434,870

Group No.: 1642


Filed: 11/04/99

Examiner: L. Helms

Entitled: **Methods of Optimizing Antibody Variable Region Binding Affinity**

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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| <b>CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)</b>   |  |
| I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. |  |
| Dated: <u>January 29, 2003</u>  | By: <br>Traci E. Light |

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KD  
3-6-03

Sir or Madam:

In response to the (final) Office Action mailed October 29, 2002, Applicants respectfully request that the following Amendments to the above-referenced patent application be entered on the record and considered by the Examiner. This Preliminary Amendment is filed in conjunction with an RCE and a 132 Declaration. A clean version of the entire set of pending claims pursuant to 37 C.F.R. §1.121 (c)(3) is attached as Appendix I.

**R E M A R K S**

Applicants appreciatively acknowledge the Examiner's withdrawal of the rejection of claims 42-51 under 112, second paragraph, as being indefinite. The only remaining ground of rejection is as follows:

1. Claims 42-71 stand rejected under 103(a) as allegedly obvious in light of Deng *et al.* (Canadian Patent Application 2,125,240 A1) and further in view of Yelton *et al.* (The Journal of Immunology 155:1994-2004 [1995]) and Hagiwara *et al.* (US Patent No. 5,589,573, issued Dec. 31, 1996).